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E-filed 10/7/05

5 Attorneys for Plaintiff
 6 MARILYN KING

7
 8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10

11 MARILYN KING,

) Case No. C05 02645 JF
 12)
 13)

13 Plaintiff,

14 vs.

) STIPULATION TO FILE FIRST AMENDED
 15) COMPLAINT AND (PROPOSED) ORDER
 16)

15 THE PAUL REVERE LIFE INSURANCE
 16 COMPANY and DIVA SYSTEMS
 CORPORATION LONG-TERM
 16 DISABILITY GROUP INSURANCE PLAN.

17 Defendants.
 18)
 19)

20 Plaintiff Marilyn King and Defendant, The Paul Revere Life Insurance Company, by and
 21 through their counsel of record, hereby stipulate that Plaintiff may file a First Amended
 22 Complaint substituting UNUM Life Insurance Company of America for Defendant The Paul
 23 Revere Life Insurance Company. A copy of the proposed First Amended Complaint is attached
 24 hereto.
 25


26 It is further stipulated that Defendant UNUM Life Insurance Company of America waives
 27 notice and service of the First Amended Complaint, and that its Answer may be filed in response
 28

1 to the First Amended Complaint.

2 IT IS SO STIPULATED,

3 DATE: October 5, 2005

FLYNN, ROSE & PERKINS

4
5 By 

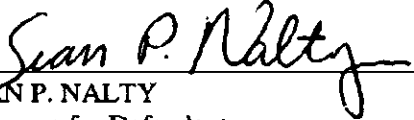
6 CHARLES B. PERKINS

7 Attorneys for Plaintiff

MARILYN KING

8 DATE: October 5, 2005

KELLY, HERLIHY & KLEIN LLP

9
10 By 

11 SEAN P. NALTY

12 Attorneys for Defendant

THE PAUL REVERE LIFE

INSURANCE COMPANY

13 ORDER

14
15 Having reviewed the Stipulation of the parties and good cause appearing, it is hereby
16 ordered that Plaintiff shall have leave to file her First Amended Complaint.

17 IT IS SO ORDERED,

18 DATE: 10/7/05

/s/electronic signature authorized

19 JUDGE JEREMY FOGEL